

REMARKS

This Response is filed with a Request for Continued Examination (RCE), a third month Petition for Extension of Time, and the required fees. Claims 1-16 are pending in this application. No amendments to the specification, abstract or claims are made at this time (after the entry of the December 5, 2005 Amendment). Applicants respectfully request reconsideration of claims 1-16.

In the December 16, 2005 Advisory Action, claims 4-5 are objected to and claims 1-3 and 6-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Abusleme et al. (EP 1,038,914) in view of Stoeppelmann (U.S. Patent No. 5,869,157). This rejection is respectfully traversed.

Further to Applicants' remarks in the December 5, 2005 Amendment, Applicants respectfully submit that the Examiner is improperly using hindsight in view of the presently claimed invention to combine Stoeppelmann and Arcella to allegedly obtain the combination of layers A) and B) as presently claimed.

In particular, Applicants submit that Stoeppelmann does not teach, suggest, or provide any motivation for selecting the specific fluoropolymer of Abusleme instead of one of the numerous fluoropolymers of Stoeppelmann. Indeed, the presently claimed combination of layers A) and B) is a deliberate and non-arbitrary selection.

Applicants also emphasize that the results of the presently claimed invention are unexpected. In particular, Stoeppelmann teaches that a polyamide having excess -NH₂ end groups and not admixed with a diamine (as in present claim 1) does not adhere to fluoropolymers without any additional ingredients or post treatments (see for example col.

4, lines 19-26 of Stoeppelmann). Further, Comparative Example 5 of the present specification demonstrates adherence only to a particular fluoropolymer, such as ECTFE containing acrylic monomer (a).


Applicants also note that in Abusleme, the ECTFE not containing acrylic monomer (a) is used in combination with epichlorohydrin containing crosslinking agent which is distinguishable from the polyamides presently claimed.

Further, Applicants submit that increasing the adhesion of multilayers of Abusleme is not the present technical problem as asserted by the Examiner.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claims, and the prompt issuance of a Notice of Allowability are respectfully solicited. If this application is not in condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event that this paper is not considered to be timely filed, an appropriate extension of time is requested. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account Number 01-2300, referencing Docket Number 108910-00057.

Respectfully submitted,



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Enclosures: Petition for Extension of Time
Request for Continued Examination (RCE) Transmittal